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MAY 23 2005

OFFICE OF PETITIONS

In re Application of
Kevin Ellis, Christina Wodtke, Jennifer
Crakow, and Qi Lu
Application No. 10/783,862
Filed: February 20, 2004
Attorney Docket No. 694231/0090 JD/KCE
Title: SYSTEM AND METHOD FOR
PROVIDING AN IMPROVED GRAPHICAL
USER INTERFACE FOR SEARCH

DECISION ON RENEWED PETITION

This is in response to the renewed petition under 37 C.F.R. §1.47(a)¹, filed May 2, 2005.

On February 20, 2004, the application was deposited, identifying Kevin Ellis, Christina Wodtke, Jennifer Crakow, and Qi Lu as joint inventors. The application was deposited with an unexecuted declaration. On May 14, 2004, a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted" (Notice) was mailed, indicating that an executed oath or declaration and a surcharge of \$130.00 were required. This Notice set a two-month period for reply.

The original petition was submitted on November 15, 2004 and was dismissed via the mailing of a decision on March 2, 2005, for failure to include an acceptable declaration.

¹A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

The renewed petition cannot be accepted, as it has not been signed².

For this reason, the renewed petition under 37 C.F.R. §1.47(a) is **DISMISSED**.

Any reply must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. The reply should include a properly executed submission along with a cover letter entitled "Second Renewed Petition Under 37 C.F.R. §1.47(a)". This is not a final agency action within the meaning of 5 U.S.C 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski.

Any renewed petition may be submitted by mail³, hand-delivery⁴, or facsimile⁵.

The application file will be retained in the Office of Petitions for two (2) months.

It is noted that the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If petitioner desires to receive future correspondence regarding this application, the change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary. Petitioner will not receive future correspondence related to this application unless Change of Correspondence Address, Patent Form (PTO/SB/122) is submitted for the above-identified application. For petitioner's convenience, a blank Change of Correspondence Address, Patent Form (PTO/SB/122), may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

cc: James J. DeCarlo
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² See 37 C.F.R. §1.4 and MPEP §502.02.

³ Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

⁴ Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

⁵ (703) 872-9306 - please note this is a central facsimile number, and as such, there will be a delay in the delivery of the facsimile to the undersigned, which could be as much as one month.